

March 25, 1988

Docket No. 50-424

Mr. George F. Head
Senior Vice President
Georgia Power Company
P.O. Box 4545
Atlanta, Georgia 30302

Dear Mr. Head:

SUBJECT: VOGTLE UNIT 1 - CONTROL ROOM EMERGENCY FILTRATION SYSTEM
(TAC 67567)

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" to the Office of the Federal Register for publication.

This notice relates to your application dated March 23, 1988, which requested a change to the operability requirements for the control room emergency filtration system.

Sincerely,

/s/

Jon B. Hopkins, Project Manager
Project Directorate II-3
Division of Reactor Projects I/II

Enclosure:
As stated

cc w/enclosure:
See next page

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Docket File Vogtle R/F
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M. Rood
OGC-WF

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M
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Mr. George F. Head
Georgia Power Company

Vogtle Electric Generating Plant

cc:

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101 Marietta Street, N.W., Suite 2900
Atlanta, Georgia 30323

UNITED STATES NUCLEAR REGULATORY COMMISSIONGEORGIA POWER COMPANY, ET AL.DOCKET NO. 50-424NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-68, issued to the Georgia Power Company, et al. (the licensee), for operation of the Vogtle Electric Generating Plant, Unit 1 located in Burke County, Georgia.

The amendment would add a footnote to Technical Specification 3.7.6, "Control Room Emergency Filtration System," in order to allow pre-operational testing of the Vogtle Electric Generating Plant (VEGP) Unit 2 heating, ventilation, and air conditioning (HVAC) system. The footnote will state the following:

The verification activity specified by Paragraph 4.7.6.e.3 is waived with respect to the Unit 1 Control Room/Unit 2 Control Room differential pressure during periods of operation of the Unit 2 Emergency HVAC System while conducting pre-operational testing of that system. The waiver is contingent upon the capability to shut down the applicable Unit 2 HVAC systems within 4.5 minutes after receipt of a Unit 1 Control Room Isolation signal.

VEGP Unit 1 is protected from VEGP Unit 2 construction and testing activities by physical barriers and administrative controls. In particular, the VEGP Unit 1 and Unit 2 control room areas are separated by a temporary wall and the HVAC systems are separated by a series of dampers, removed duct sections, and caps on open ducts.

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The licensee plans to remove the temporary wall separating the VEGP Unit 1 and VEGP Unit 2 control room areas during the first VEGP Unit 1 refueling outage, in order to minimize the negative impact of the wall removal on the operation of VEGP Unit 1. This schedule requires that pre-operational testing of the VEGP Unit 2 HVAC systems begin prior to the VEGP Unit 1 refueling outage. The VEGP Unit 2 testing activities will result in occasional positive pressures in the VEGP Unit 2 control room, which could negate the positive pressure requirement for the VEGP Unit 1 control room and is the reason that the proposed amendment is necessary. These testing activities are scheduled to begin immediately and end just in time to remove the temporary wall during the VEGP Unit 1 refueling outage scheduled to begin in September 1988.

The licensee initially believed that the required pre-operational testing of the VEGP Unit 2 emergency HVAC systems could be performed during full power operation of VEGP Unit 1 without the need for a Technical Specification amendment for VEGP Unit 1. This belief was based on the temporary nature of the VEGP Unit 2 pressurization testing and the continued compliance with the VEGP Unit 1 Technical Specification Bases through compensatory operator action. The Nuclear Regulatory Commission (NRC) staff informed the licensee on March 17, 1988 of their position that a Technical Specification amendment was necessary. Therefore, approval of the proposed amendment on an exigent basis is necessary to avoid a potential extension of the planned VEGP Unit 1 refueling outage or a separate outage for removal of the temporary wall.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards considerations. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The NRC staff has reviewed the proposed amendment and has determined that it would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated because dedicated operators will shut down the VEGP Unit 2 emergency HVAC systems in the event of a control room isolation signal to ensure that radiation doses are not increased above those previously evaluated. Also, chlorine gas will not be stored on site in a quantity that requires any chlorine protection. In addition, the NRC staff has found that the proposed amendment would not (2) create the possibility of a new or different kind of accident from any accident previously evaluated because the change does not involve any physical alteration of the plant. Therefore, a failure mode which could lead to a new or different type of accident is not introduced. Finally, the proposed amendment would not (3) involve a significant reduction in a margin of safety because dedicated operators with no other duties will be stationed to shut down the VEGP Unit 2 emergency HVAC systems in the event of an accident.

Accordingly, the Commission proposes to determine that this change does not involve significant hazards considerations.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration and Resources Management, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of the FEDERAL REGISTER notice.

Written comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, NW, Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 15, 1988, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rule of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of 30-days, the Commission will make a final determination on the issue of no significant hazards considerations. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards considerations, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves significant hazards considerations, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 15-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the amendment involves no significant hazards considerations. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C., by the above date. Where petitions are filed during the

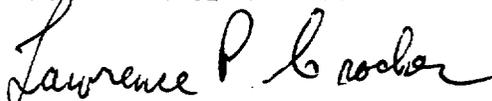
last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Darl Hood: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Mr. Arthur H. Domby, Troutman, Sanders, Lockerman and Ashmore, Chandler Building, Suite 1400, 127 Peachtree Street, N.E., Atlanta, Georgia 30043.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated March 23, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. 20555, and at the Local Public Document Room, Burke County Public Library, 4th Street, Waynesboro, Georgia 30830.

Dated at Rockville, Maryland, this 25th day of March, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION



Lawrence P. Crocker, Acting Director
Project Directorate II-3
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

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March 25, 1988

DOCKET NO. 50-424

MEMORANDUM FOR: Chief
Rules and Procedures Branch
Division of Rules and Records
Office of Administration

FROM: Office of Nuclear Reactor Regulation

SUBJECT: GEORGIA POWER COMPANY, VOGTLE UNIT 1

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (5) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s); Time for Submission of Views on Antitrust Matters.
- Notice of Consideration of Issuance of Amendment to Facility Operating License.
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Order.
- Exemption.
- Notice of Granting Exemption.
- Environmental Assessment.
- Notice of Preparation of Environmental Assessment.
- Other: ~~Please call MRood (49-21487) with 15 day date to be inserted on page 4.~~

Division of Reactor Projects, I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

Contact:
Phone:

OFFICE	LA: PDII-3						
SURNAME	MRood: pw						
DATE	2/28/88						

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March 25, 1988

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Division of Reactor Projects, I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

Contact:
Phone:

OFFICE	LA: PD II-3 MR					
SURNAME	MRood: pw					
DATE	3/28/88					